

## FOURTH DAY.

(Continued.)

(Tuesday, September 15, 1931.)

The House met at 9 o'clock a. m., and was called to order by Speaker Minor.

## HOUSE BILL NO. 19 ON SECOND READING.

Mr. DeWolfe moved that the regular order of business be suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 19, A bill to be entitled "An Act repealing subdivision four (4) of Article 7047 of the Revised Statutes of 1925, as amended by Chapter 212, Acts of the Regular Session of the Forty-second Legislature, levying an occupation tax on peddlers, and declaring an emergency."

Mr. Holder raised a point of order on further consideration of the bill on the ground that the subject matter contained in the bill has not been submitted by the Governor.

The Speaker declined to rule on the point of order, stating that he would submit the matter to the House for its decision.

Question—Shall the point of order be sustained?

The House overruled the point of order by the following vote:

## Yeas—35.

Adams of Harris.	Jackson.
Carpenter.	Lemens.
Caven.	Lilley.
Coombes.	McGill.
Fisher.	Mathis.
Forbes.	Moore.
Gilbert.	Morse.
Giles.	Munson.
Harman.	Murphy.
Harrison	Nicholson.
of El Paso.	Olsen.
Hatchitt.	Petsch.
Hefley.	Rountree.
Herzik.	Scott.
Hill.	Walker.
Holder.	Weinert.
Holland.	West of Cameron.
Howsley.	Young.

## Nays—75.

Adams of Jasper.	Alsup.
Adkins.	Anderson.
Akin.	Baker.

Beck.	Kennedy.
Bounds.	Lee.
Boyd.	Lockhart.
Brice.	McCombs.
Brooks.	McGregor.
Bryant.	Magee.
Burns of Walker.	Mehl.
Claunch.	Metcalf.
Coltrin.	Moffett.
Cox of Lamar.	O'Quinn.
Cox of Limestone.	Ramsey.
Cunningham.	Ratliff.
Dale.	Ray.
Daniel.	Reader.
DeWolfe.	Richardson.
Dodd.	Rogers.
Donnell.	Satterwhite.
Dowell.	Savage.
Dwyer.	Shelton.
Engelhard.	Smith of Bastrop.
Farmer.	Smith of Wood.
Finn.	Sparkman.
Ford.	Stephens.
Goodman.	Stevenson.
Grogan.	Tarwater.
Hanson.	Terrell
Hines.	of Cherokee.
Holloway.	Towery.
Hubbard.	Turner.
Hughes.	Van Zandt.
Johnson	Vaughan.
of Dimmit.	Veatch.
Johnson of Morris.	Wagstaff.
Jones of Shelby.	Wiggs.
Justiss.	Wyatt.
Keller.	

## Absent.

Adamson.	Jones of Atascosa.
Barron.	Laird.
Burns	Lasseter.
of McCulloch.	Leonard.
Davis.	Long.
Dunlap.	Martin.
Duvall.	Patterson.
Elliott.	Pope.
Ferguson.	Sanders.
Fuchs.	Sherrill.
Graves.	Strong.
Greathouse.	Sullivant.
Hardy.	Terrell
Harrison	of Val Verde.
of Waller.	West of Coryell.
Hoskins.	Westbrook.
Johnson of Dallam.	

## Absent—Excused.

Albritton.	Kayton.
Bedford.	McDougald.
Bond.	Steward.
Bradley.	Warwick.
Farrar.	

Question then recurring on the motion by Mr. DeWolfe, it prevailed by the following vote:

## Yeas—79.

Adams of Jasper.	Hughes.
Adamson.	Johnson
Adkins.	of Dimmit.
Akin.	Johnson of Morris.
Alsup.	Jones of Shelby.
Anderson.	Justiss.
Baker.	Keller.
Beck.	Kennedy.
Bond.	Laird.
Bounds.	Lee.
Boyd.	Lockhart.
Brice.	McCombs.
Brooks.	Mehl.
Bryant.	Metcalf.
Burns of Walker.	Moffett.
Carpenter.	Murphy.
Claunch.	Patterson.
Coltrin.	Ramsey.
Cox of Lamar.	Ratliff.
Cox of Limestone.	Ray.
Cunningham.	Reader.
Dale.	Richardson.
Daniel.	Rogers.
DeWolfe.	Savage.
Dodd.	Shelton.
Donnell.	Smith of Bastrop.
Dwyer.	Smith of Wood.
Engelhard.	Stephens.
Farmer.	Stevenson.
Ferguson.	Tarwater.
Finn.	Terrell
Fisher.	of Cherokee.
Forbes.	Towery.
Fuchs.	Van Zandt.
Graves.	Vaughan.
Grogan.	Veatch.
Hanson.	Wagstaff.
Hardy.	West of Coryell.
Hines.	Wiggs.
Holloway.	Wyatt.
Hoskins.	

## Nays—38.

Adams of Harris.	Lemens.
Barron.	Leonard.
Caven.	Lilley.
Coombes.	McGill.
Davis.	Mathis.
Elliott.	Moore.
Ford.	Morse.
Gilbert.	Munson.
Giles.	Nicholson.
Harman.	Olsen.
Hatchitt.	Petsch.
Herzik.	Rountree.
Hill.	Scott.
Holder.	Sparkman.
Holland.	Strong.
Howsley.	Sullivant.
Jackson.	Walker.
Johnson	West of Cameron.
of Dallam.	Young.
Jones of Atascosa.	

## Absent.

Burns	Long.
of McCulloch.	Magee.
Dowell.	McGregor.
Dunlap.	Martin.
Duvall.	O'Quinn.
Goodman.	Pope.
Greathouse.	Sanders.
Harrison	Satterwhite.
of El Paso.	Sherrill.
Harrison	Terrell
of Waller.	of Val Verde.
Hefley.	Turner.
Hubbard.	Weinert.
Lasseter.	Westbrook.

## Absent—Excused.

Albritton.	Kayton.
Bedford.	McDougald.
Bradley.	Steward.
Farrar.	Warwick.

The Speaker then laid House bill No. 19 before the House, and it was read second time.

Mr. Holder offered the following amendment to the bill:

Amend House bill No. 19 by inserting the following:

"Section 1a. A peddler hereafter shall be any person who sells merchandise carried on his person, in a pack, by an animal-drawn vehicle or a motor truck, and who does not operate from a fixed business locus."

COOMBES,  
HOLDER.

Mrs. Hughes raised a point of order on further consideration of the amendment, on the ground that the amendment is not germane.

The Speaker sustained the point of order.

Mr. Anderson moved the previous question on the engrossment of the bill, and the motion was duly seconded.

Question recurring on the motion for the main question, it prevailed by the following vote:

## Yeas—62.

Adams of Harris.	Bond.
Adams of Jasper.	Boyd.
Adamson.	Brice.
Akin.	Brooks.
Alsup.	Bryant.
Anderson.	Burns
Baker.	of McCulloch.
Beck.	Carpenter.

Claunch.	Lilley.
Cox of Lamar.	Lockhart.
Cunningham.	McCombs.
Dale.	Magee.
DeWolfe.	Mathis.
Donnell.	Mehl.
Dowell.	Metcalf.
Finn.	Moffett.
Fisher.	Reader.
Forbes.	Richardson.
Fuchs.	Rogers.
Goodman.	Shelton.
Hanson.	Smith of Wood.
Herzik.	Sparkman.
Hines.	Stephens.
Holloway.	Sullivant.
Hubbard.	Tarwater.
Hughes.	Towery.
Johnson	Van Zandt.
of Dimmit.	Vaughan.
Johnson of Morris.	Veatch.
Jones of Atascosa.	Weinert.
Keller.	Westbrook.
Lee.	Wyatt.

Nays—55.

Adkins.	Justiss.
Bounds.	Kennedy.
Burns of Walker.	Laird.
Coltrin.	Leonard.
Coombes.	McGill.
Cox of Limestone.	Moore.
Daniel.	Munson.
Davis.	Murphy.
Dodd.	Nicholson.
Dwyer.	Olsen.
Elliott.	O'Quinn.
Engelhard.	Petsch.
Farmer.	Ratliff.
Ferguson.	Rountree.
Ford.	Satterwhite.
Gilbert.	Savage.
Giles.	Scott.
Grogan.	Sherrill.
Harman.	Smith of Bastrop.
Harrison.	Stevenson.
of El Paso.	Strong.
Hatchitt.	Terrell
Hefley.	of Cherokee.
Hill.	Walker.
Holder.	West of Coryell.
Holland.	West of Cameron.
Hoskins.	Wiggs.
Howsley.	Young.
Jackson.	

Absent.

Barron.	Johnson
Caven.	of Dallam.
Dunlap.	Jones of Shelby.
Duvall.	Lasseter.
Graves.	Lemens.
Greathouse.	Long.
Hardy.	McGregor.
Harrison	Martin.
of Waller.	Morse.

Patterson.	Terrell
Pope.	of Val Verde.
Ramsey.	Turner.
Ray.	Wagstaff.
Sanders.	

Absent—Excused.

Albritton.	Kayton.
Bedford.	McDougald.
Bradley.	Steward.
Farrar.	Warwick.

House bill No. 19 was then passed to engrossment.

### MOTION TO TAKE UP HOUSE BILL NO. 19.

Mr. DeWolfe moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 19 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—78.

Adams of Jasper.	Hanson.
Adamson.	Hines.
Adkins.	Holloway.
Akin.	Hoskins.
Alsup.	Hubbard.
Anderson.	Hughes.
Baker.	Johnson
Barron.	of Dimmit.
Beck.	Johnson of Morris.
Bond.	Jones of Atascosa.
Bounds.	Justiss.
Boyd.	Keller.
Brice.	Kennedy.
Brooks.	Laird.
Bryant.	Lee.
Burns of Walker.	Lilley.
Burns	Lockhart.
of McCulloch.	McCombs.
Claunch.	McGregor.
Coltrin.	Magee.
Cox of Lamar.	Mehl.
Cox of Limestone.	Metcalf.
Cunningham.	Moffett.
Dale.	Murphy.
Daniel.	Patterson.
DeWolfe.	Ratliff.
Dodd.	Reader.
Donnell.	Richardson.
Dowell.	Rogers.
Dwyer.	Satterwhite.
Engelhard.	Shelton.
Farmer.	Smith of Wood.
Ferguson.	Sparkman.
Finn.	Stephens.
Fisher.	Stevenson.
Forbes.	Tarwater.
Grogan.	Towery.

Van Zandt.	Westbrook.
Vaughan.	Wyatt.
Veatch.	Young.

## Nays—37.

Adams of Harris.	Leonard.
Carpenter.	McGill.
Coombes.	Mathis.
Davis.	Moore.
Elliott.	Munson.
Ford.	Nicholson.
Fuchs.	Olsen.
Gilbert.	O'Quinn.
Giles.	Petsch.
Harman.	Rountree.
Hatchitt.	Scott.
Hefley.	Smith of Bastrop.
Herzik.	Strong.
Hill.	Sullivant.
Holder.	Terrell
Holland.	of Cherokee.
Howsley.	Walker.
Jackson.	West of Coryell.
Johnson	West of Cameron.
of Dallam.	

## Present—Not Voting.

Wiggs.

## Absent.

Caven.	Long.
Dunlap.	Martin.
Duvall.	Morse.
Goodman.	Pope.
Graves.	Ramsey.
Greathouse.	Ray.
Hardy.	Sanders.
Harrison	Savage.
of El Paso.	Sherrill.
Harrison	Terrell
of Waller.	of Val Verde.
Jones of Shelby.	Turner.
Lasseter.	Wagstaff.
Lemens.	Weinert.

## Absent—Excused.

Albritton.	Kayton.
Bedford.	McDougald.
Bradley.	Steward.
Farrar.	Warwick.

## SPECIAL ORDER SET.

Mr. DeWolfe moved that House bill No. 19 be set as a special order for 9 o'clock a. m. Wednesday, September 16.

The motion prevailed.

## HOUSE BILL NO. 27 ON SECOND READING.

On motion of Mr. Towery, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 27, A bill to be entitled "An Act providing that the river bed of the Trinity River in Henderson and Navarro counties shall not be sold and shall remain open to the public for fishing and hunting with the specific reference to that portion of the Trinity River known as the Cut Off; and providing that the commissioners courts of Henderson and Navarro counties shall have the right of condemnation to procure right of ways to said river or Cut Off, and giving to the Game, Fish and Oyster Commission authority to make regulations controlling fishing and hunting on said Cut Off of the Trinity River, and providing a penalty for violations of same."

Mr. Towery moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 27 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—99.

Adams of Jasper.	Greathouse.
Adamson.	Grogan.
Adkins.	Hanson.
Akin.	Harman.
Alsup.	Harrison
Anderson.	of El Paso.
Baker.	Hatchitt.
Barron.	Hefley.
Beck.	Herzik.
Bounds.	Hill.
Boyd.	Hines.
Brooks.	Holder.
Bryant.	Holloway.
Burns of Walker.	Hoskins.
Burns	Howsley.
of McCulloch.	Hubbard.
Carpenter.	Hughes.
Caven.	Jackson.
Claunch.	Johnson
Coltrin.	of Dallam.
Cox of Lamar.	Johnson
Cox of Limestone.	of Dimmit.
Dale.	Johnson of Morris.
Daniel.	Jones of Shelby.
Dodd.	Jones of Atascosa.
Dowell.	Justiss.
Dwyer.	Kennedy.
Elliott.	Laird.
Engelhard.	Lee.
Fisher.	Lemens.
Forbes.	Leonard.
Ford.	Lilley.
Fuchs.	Lockhart.
Gilbert.	McCombs.
Giles.	McGill.

Magee.	Smith of Bastrop.
Mathis.	Smith of Wood.
Mehl.	Sparkman.
Metcalfe.	Stevenson.
Moore.	Sullivant.
Morse.	Tarwater.
Munson.	Terrell
Murphy.	of Cherokee.
Nicholson.	Towery.
Olsen.	Turner.
Petsch.	Veatch.
Ratliff.	Wagstaff.
Richardson.	Walker.
Rountree.	West of Coryell.
Satterwhite.	West of Cameron.
Shelton.	Wiggs.
Sherrill.	Wyatt.

## Nays—4.

Adams of Harris.	Farmer.
Davis.	Van Zandt.

## Present—Not Voting.

Scott.	Stephens.
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## Absent.

Bond.	McGregor.
Brice.	Martin.
Coombes.	Moffett.
Cunningham.	O'Quinn.
DeWolfe.	Patterson.
Donnell.	Pope.
Dunlap.	Ramsey.
Duvall.	Ray.
Ferguson.	Reader.
Finn.	Rogers.
Goodman.	Sanders.
Graves.	Savage.
Hardy.	Strong.
Harrison	Terrell
of Waller.	of Val Verde.
Holland.	Vaughan.
Keller.	Weinert.
Lasseter.	Westbrook.
Long.	Young.

## Absent—Excused.

Albritton.	Kayton.
Bedford.	McDougald.
Bradley.	Steward.
Farrar.	Warwick.

The Speaker then laid House bill No. 27 before the House on its second reading and passage to engrossment.

The bill was read second time.

By unanimous consent of the House the caption of the bill was ordered amended to conform to the body of the bill.

House bill No. 27 was then passed to engrossment.

## HOUSE BILL NO. 27 ON THIRD READING.

The Speaker then laid House bill No. 27 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—106.

Adams of Harris.	Johnson of Dallam.
Adams of Jasper.	Johnson
Adamson.	of Dimmit.
Adkins.	Johnson of Morris.
Akin.	Jones of Shelby.
Alsup.	Jones of Atascosa.
Anderson.	Justiss.
Baker.	Kennedy.
Barron.	Laird.
Beck.	Lee.
Bounds.	Lemens.
Boyd.	Leonard.
Bryant.	Lilley.
Burns of Walker.	Lockhart.
Burns	McCombs.
of McCulloch.	McGill.
Carpenter.	Magee.
Caven.	Mathis.
Claunch.	Mehl.
Coltrin.	Metcalfe.
Cox of Lamar.	Moffett.
Cox of Limestone.	Moore.
Dale.	Munson.
Daniel.	Nicholson.
Dodd.	Olsen.
Dowell.	Patterson.
Dwyer.	Petsch.
Elliott.	Ratliff.
Engelhard.	Richardson.
Farmer.	Rogers.
Fisher.	Rountree.
Forbes.	Satterwhite.
Ford.	Sherrill.
Fuchs.	Smith of Bastrop.
Gilbert.	Smith of Wood.
Giles.	Sparkman.
Goodman.	Stephens.
Greathouse.	Stevenson.
Grogan.	Strong.
Hanson.	Sullivant.
Harman.	Tarwater.
Harrison	Terrell
of El Paso.	of Cherokee.
Hatchitt.	Towery.
Hefley.	Turner.
Herzik.	Vaughan.
Hill.	Veatch.
Hines.	Wagstaff.
Holder.	Walker.
Holloway.	Weinert.
Hoskins.	West of Coryell.
Howsley.	West of Cameron.
Hubbard.	Westbrook.
Hughes.	Wiggs.
Jackson.	Wyatt.

## Absent.

Bond.	Long.
Brice.	McGregor.
Brooks.	Martin.
Coombes.	Morse.
Cunningham.	Murphy.
Davis.	O'Quinn.
DeWolfe.	Pope.
Donnell.	Ramsey.
Dunlap.	Ray.
Duvall.	Reader.
Ferguson.	Sanders.
Finn.	Savage.
Graves.	Scott.
Hardy.	Shelton.
Harrison	Terrell
of Waller.	of Val Verde.
Holland.	Van Zandt.
Keller.	Young.
Lasseter.	

## Absent—Excused.

Albritton.	Kayton.
Bedford.	McDougald.
Bradley.	Steward.
Farrar.	Warwick.

## BILLS ORDERED NOT PRINTED.

On motion of Mr. Grogan, House bill No. 39 was ordered not printed.

On motion of Mr. Jones of Atascosa, House bill No. 30 was ordered not printed.

## HOUSE BILL NO. 12 ON SECOND READING.

On motion of Mr. Wyatt, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 12, A bill to be entitled "An Act to prohibit the sale or offering for sale or the buying of any bass, crappie, perch, or channel or opalousis cat, or any other fish taken from the waters of Lake Waco or the Bosque Rivers and their tributaries in the counties of McLennan, Bosque and Hamilton; to prohibit the use of any drag seine or nets and to limit the size and number to be caught, and to prohibit the use of a troll from a motor boat or boat propelled by other than ordinary oars, and to prohibit the catching of bass, crappie, perch, channel or opalousis catfish during the months of February, March and April of each year, and declaring an emergency."

The Speaker laid the bill before

the House; it was read second time, and was passed to engrossment.

## HOUSE BILL NO. 12 ON THIRD READING.

Mr. Wyatt moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 12 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—102.

Adams of Harris.	Hoskins.
Adams of Jasper.	Howesley.
Adamson.	Hubbard.
Adkins.	Hughes.
Akin.	Jackson.
Alsup.	Johnson
Anderson.	of Dimmit.
Baker.	Jones of Shelby.
Beck.	Jones of Atascosa.
Bond.	Justiss.
Bounds.	Kennedy.
Boyd.	Laird.
Bryant.	Lee.
Burns of Walker.	Lemens.
Burns	Lilley.
of McCulloch.	Lockhart.
Carpenter.	McCombs.
Caven.	McGill.
Claunch.	Magee.
Coltrin.	Mehl.
Cox of Lamar.	Metcalf.
Cox of Limestone.	Moffett.
Cunningham.	Moore.
Daniel.	Munson.
Davis.	Nicholson.
DeWolfe.	Olsen.
Dodd.	Patterson.
Donnell.	Petsch.
Dowell.	Ratliff.
Dwyer.	Richardson.
Elliott.	Rogers.
Farmer.	Rountree.
Fisher.	Satterwhite.
Forbes.	Savage.
Ford.	Scott.
Fuchs.	Shelton.
Gilbert.	Smith of Bastrop.
Giles.	Smith of Wood.
Goodman.	Sparkman.
Greathouse.	Stevenson.
Grogan.	Strong.
Hanson.	Sullivant.
Harman.	Tarwater.
Harrison	Terrell of Cherokee.
of El Paso.	Turner.
Hatchitt.	Van Zandt.
Hefley.	Vaughan.
Herzik.	Veatch.
Hill.	Wagstaff.
Hines.	Walker.
Holder.	Weinert.

West of Cameron. Wyatt.  
Westbrook.

Absent.

Barron.	Leonard.
Brice.	Long.
Brooks.	McGregor.
Coombes.	Martin.
Dale.	Mathis.
Dunlap.	Morse.
Duvall.	Murphy.
Engelhard.	O'Quinn.
Ferguson.	Pope.
Finn.	Ramsey.
Graves.	Ray.
Hardy.	Reader.
Harrison	Sanders.
of Waller.	Sherrill.
Holland.	Stephens.
Holloway.	Terrell
Johnson	of Val Verde.
of Dallam.	Towery.
Johnson of Morris.	West of Coryell.
Keller.	Wiggs.
Lasseter.	Young.

Absent—Excused.

Albritton.	Kayton.
Bedford.	McDougald.
Bradley.	Steward.
Farrar.	Warwick.

The Speaker then laid House bill No. 12 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—105.

Adams of Harris.	Dodd.
Adams of Jasper.	Donnell.
Adamson.	Dowell.
Adkins.	Dwyer.
Akin.	Elliott.
Albritton.	Farmer.
Alsup.	Fisher.
Anderson.	Forbes.
Baker.	Ford.
Beck.	Fuchs.
Bounds.	Gilbert.
Boyd.	Giles.
Bryant.	Goodman.
Burns of Walker.	Greathouse.
Burns	Grogan.
of McCulloch.	Hanson.
Carpenter.	Hardy.
Caven.	Harman.
Claunch.	Harrison
Coltrin.	of El Paso.
Cox of Lamar.	Hatchitt.
Cox of Limestone.	Hefley.
Cunningham.	Herzik.
Daniel.	Hill.
Davis.	Hines.
DeWolfe.	Holder.

Hoskins.	Ratliff.
Howesley.	Richardson.
Hubbard.	Rogers.
Hughes.	Rountree.
Jackson.	Satterwhite.
Johnson	Savage.
of Dimmit.	Scott.
Johnson of Morris.	Sherrill.
Jones of Shelby.	Smith of Bastrop.
Jones of Atascosa.	Smith of Wood.
Justiss.	Sparkman.
Kennedy.	Stephens.
Laird.	Stevenson.
Lee.	Strong.
Lemens.	Sullivant.
Lilley.	Tarwater.
Lockhart.	Terrell
McCombs.	of Cherokee.
McGill.	Turner.
McGregor.	Van Zandt.
Mehl.	Vaughan.
Metcalfe.	Veatch.
Moffett.	Wagstaff.
Moore.	Walker.
Munson.	Weinert.
Nicholson.	West of Cameron.
Olsen.	Westbrook.
Patterson.	Wyatt.
Petsch.	

Absent.

Barron.	Leonard.
Bond.	Long.
Brice.	Magee.
Brooks.	Martin.
Coombes.	Mathis.
Dale.	Morse.
Dunlap.	Murphy.
Duvall.	O'Quinn.
Engelhard.	Pope.
Ferguson.	Ramsey.
Finn.	Ray.
Graves.	Reader.
Harrison	Sanders.
of Waller.	Shelton.
Holland.	Terrell
Holloway.	of Val Verde.
Johnson	Towery.
of Dallam.	West of Coryell.
Keller.	Wiggs.
Lasseter.	Young.

Absent—Excused.

Bedford.	McDougald.
Bradley.	Steward.
Farrar.	Warwick.
Kayton.	

#### HOUSE BILL NO. 39 ON SECOND READING.

Mr. Grogan moved that the regular order of business be suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 39, A bill to be entitled

"An Act making it lawful to hunt wild deer with one dog after being crippled, in the counties of Liberty and Hardin, Texas, during the open season of each year for a period of five years, and declaring an emergency."

Mr. Grogan moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 39 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Adams of Harris.	Hefley.
Adams of Jasper.	Herzik.
Adamson.	Hill.
Adkins.	Hines.
Akin.	Holder.
Alsup.	Hoskins.
Anderson.	Howsley.
Baker.	Hughes.
Beck.	Jackson.
Bond.	Johnson
Bounds.	of Dimmit.
Boyd.	Johnson of Morris.
Brice.	Jones of Shelby.
Bryant.	Jones of Atascosa.
Burns of Walker.	Justiss.
Burns	Kennedy.
of McCulloch.	Lee.
Carpenter.	Lemens.
Caven.	Leonard.
Claunch.	Lilley.
Coltrin.	Lockhart.
Cox of Lamar.	McCombs.
Cox of Limestone.	McGill.
Cunningham.	McGregor.
Daniel.	Magee.
Davis.	Mathis.
DeWolfe.	Mehl.
Dodd.	Metcalfe.
Donnell.	Moffett.
Dowell.	Moore.
Duvall.	Munson.
Elliott.	Murphy.
Farmer.	Olsen.
Fisher.	Petsch.
Forbes.	Ratliff.
Ford.	Ray.
Fuchs.	Richardson.
Gilbert.	Rountree.
Giles.	Satterwhite.
Goodman.	Savage.
Greathouse.	Scott.
Grogan.	Shelton.
Hanson.	Sherrill.
Harman.	Smith of Wood.
Harrison	Sparkman.
of El Paso.	Stevenson.
Hatchitt.	Strong.

Sullivant.	Wagstaff.
Tarwater.	Walker.
Terrell	Weinert.
of Cherokee.	West of Coryell.
Towery.	West of Cameron.
Turner.	Wiggs.
Vaughan.	Wyatt.
Veatch.	

Absent.

Barron.	Lasseter.
Brooks.	Long.
Coombes.	Martin.
Dale.	Morse.
Dunlap.	Nicholson.
Dwyer.	O'Quinn.
Engelhard.	Patterson.
Ferguson.	Pope.
Finn.	Ramsey.
Graves.	Reader.
Hardy.	Rogers.
Harrison	Sanders.
of Waller.	Smith of Bastrop.
Holland.	Stephens.
Holloway.	Terrell
Hubbard.	of Val Verde.
Johnson	Van Zandt.
of Dallam.	Westbrook.
Keller.	Young.
Laird.	

Absent—Excused.

Albritton.	Kayton.
Bedford.	McDougald.
Bradley.	Steward.
Farrar.	Warwick.

The Speaker then laid House bill No. 39 before the House on its second reading and passage to engrossment. The bill was read second time.

Mr. Grogan offered the following amendment to the bill:

Amend the caption to House bill No. 39 by inserting between the words "hunt" and "wild" the word "wounded," and by striking out the words "after being crippled" wherever they appear.

The amendment was adopted.

House bill No. 39 was then passed to engrossment.

#### HOUSE BILL NO. 39 ON THIRD READING.

The Speaker then laid House bill No. 39 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—103.

Adams of Harris.	Adamson.
Adams of Jasper.	Adkins.



Akin.	Johnson of Morris.
Alsup.	Jones of Shelby.
Anderson.	Jones of Atascosa.
Baker.	Justiss.
Beck.	Kennedy.
Bond.	Laird.
Bounds.	Lee.
Boyd.	Lemens.
Brice.	Leonard.
Burns of Walker.	Lilley.
Burns	Lockhart.
of McCulloch.	McCombs.
Carpenter.	McGill.
Caven.	Magee.
Claunch.	Mathis.
Coltrin.	Metcalfe.
Cox of Lamar.	Moffett.
Cox of Limestone.	Moore.
Cunningham.	Munson.
Daniel.	Murphy.
Davis.	Olsen.
DeWolfe.	Petsch.
Dodd.	Ratliff.
Donnell.	Ray.
Dowell.	Richardson.
Duvall.	Rogers.
Elliott.	Rountree.
Engelhard.	Satterwhite.
Fisher.	Savage.
Forbes.	Scott.
Ford.	Shelton.
Fuchs.	Sherrill.
Gilbert.	Smith of Bastrop.
Giles.	Smith of Wood.
Goodman.	Sparkman.
Greathouse.	Stephens.
Grogan.	Stevenson.
Hanson.	Strong.
Harman.	Tarwater.
Harrison	Terrell
of El Paso.	of Cherokee.
Hefley.	Towery.
Herzik.	Turner.
Hill.	Van Zandt.
Hines.	Vaughan.
Holder.	Veatch.
Hoskins.	Walker.
Howsley.	Weinert.
Hughes.	West of Coryell.
Jackson.	West of Cameron.
Johnson	Wiggs.
of Dimmit.	

Nays—1.

Farmer.

Absent.

Barron.	Hardy.
Brooks.	Harrison
Bryant.	of Waller.
Coombes.	Hatchitt.
Dale.	Holland.
Dunlap.	Holloway.
Dwyer.	Hubbard.
Ferguson.	Johnson
Finn.	of Dallam.
Graves.	Keller.

Lasseter.	Ramsey.
Long.	Reader.
McGregor.	Sanders.
Martin.	Sullivant.
Mehl.	Terrell
Morse.	of Val Verde.
Nicholson.	Wagstaff.
O'Quinn.	Westbrook.
Patterson.	Wyatt.
Pope.	Young.

Absent—Excused.

Albritton.	Kayton.
Bedford.	McDougald.
Bradley.	Steward.
Farrar.	Warwick.

## IN COMMITTEE OF THE WHOLE HOUSE.

(Mr. Minor in the chair.)

On motion of Mr. Johnson of Dimmit, the House, at 11 o'clock a. m., resolved itself into a Committee of the Whole House for the purpose of considering House bill No. 7.

## IN THE HOUSE.

(Mr. Minor in the chair.)

At 12 o'clock m., Mr. Minor, Chairman of the Committee of the Whole House, reported to the House that the Committee desired to rise, report progress, and ask leave of the House to sit again at 2 o'clock p. m., today.

The following proceedings were also reported.

## CONSIDERATION OF HOUSE BILL NO. 7.

The Committee resumed consideration of House bill No. 7, relative to the reduction of cotton acreage, the bill having been reported favorably by the subcommittee with committee amendment by Mr. Johnson of Dimmit, pending.

Mr. Terrell of Cherokee offered the following amendment to the (committee) amendment:

Amend Section 5, by adding at the close of said section the following:

"It is hereby made the duty of all the inspectors of the State Department of Agriculture, of the Livestock Sanitary Commission and all the county farm demonstration agents in the various counties of the State to assist in the enforcement of this act by observing the acreage planted to cotton as compared to the total cultivated acreage and to report any

and all violations of this act to the proper enforcement officers, and to furnish testimony upon which to base complaints."

The amendment was adopted.

Mr. Satterwhite offered the following amendment to the (committee) amendment:

Amend the committee amendment No. 1 of House bill No. 7, page 4, line 15, by inserting between the figure "5" and the word "upon," the following:

"The Commissioner of Agriculture of this State is hereby designated as the principal enforcement officer of this act, and he is hereby given the necessary power and charged with the duty of directing the enforcement of this act, and."

COOMBES,  
SATTERWHITE.

On motion of Mr. Giles, the amendment was tabled.

Mr. McGregor offered the following amendment to the (committee) amendment:

Amend committee amendment, page 3, by striking out the words "or any other soil," in line 27, and all of line 28, and the words "animals or either" in line 29.

On motion of Mr. Johnson of Dimmit, the amendment was tabled.

At 12 o'clock m., Mr. Young moved that the Committee rise, report progress and ask leave of the House to sit again at 2 o'clock p. m. today.

The motion prevailed.

(Signed) FRED H. MINOR,  
Chairman of the Committee of the Whole House.

#### RECESS.

On motion of Mr. Sanders, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

#### NOTICE GIVEN.

Mr. Sanders gave notice that he would, on tomorrow, move to take up for consideration at that time, House concurrent resolution No. 12, which resolution had heretofore been laid on the table subject to call.

#### IN COMMITTEE OF THE WHOLE HOUSE.

(Mr. Minor in the chair.)

On motion of Mr. Johnson of Dimmit, the House, at 2:30 o'clock p. m., resolved itself into a Committee of the Whole House for the purpose of considering bills relative to the production of cotton.

#### IN THE HOUSE.

(Mr. Sanders in the chair.)

At 5:10 o'clock p. m., Mr. Sanders, Acting Chairman of the Committee of the Whole House, reported to the House that the Committee desired to rise, report progress, and ask leave of the House to sit again at 9 o'clock a. m. tomorrow.

The following proceedings were also reported.

#### CONSIDERATION OF HOUSE BILL NO. 7.

The Committee resumed consideration of pending business, same being House bill No. 7, with committee amendment by Mr. Johnson of Dimmit pending.

Mr. Coombes offered the following amendment to the (committee) amendment:

Amend committee amendment No. 1 by striking out the words "other soil-exhausting plants" wherever they appear.

Mr. Satterwhite moved the previous question on the amendments which are now on the Speaker's stand, and the main question was ordered.

Question recurring on the amendment by Mr. Coombes, it was lost.

Mr. Baker offered the following amendment to the (committee) amendment:

Amend committee amendment No. 1, page 5, line 19, after the word "act," by adding the following: "The provisions of this act shall not apply to the farmer who did not plant over twenty-five acres in cotton in 1931, as long as he does not increase his acreage in 1932."

The amendment was lost.

Mr. Hoskins offered the following amendment to the (committee) amendment:

Amend amendment to House bill No. 7, by adding after Section 4, on page 4, the following:

"Provided that there shall be exempted from all the provisions of this bill all experimental farms maintained by State or Federal government agencies, and all areas of land cultivated by or under the direction of either State or Federal governments for the purpose of developing or improving varieties of cotton or other farm plants,"

The amendment was lost.

Mr. Van Zandt offered the following amendment to the (committee) amendment:

Amend committee amendment No. 1 to House bill No. 7 by striking out all of Section 2 thereof and renumber sections of amendment.

The amendment was lost.

Mr. Alsup offered the following amendment to the (committee) amendment:

Amend committee amendment No. 1 to House bill No. 7 by adding at the end of Section 7 another section to be known as Section 7a, to read as follows:

"Sec. 7A. This act shall not be in full force and effect until other States growing at least 3/4 of the cotton grown in the United States have enacted laws similar to this act regulating acreage planted to cotton."

The amendment was lost.

Mr. Davis offered the following substitute for (committee) amendment No. 1:

"Amend House bill No. 7 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. It is hereby declared by the Legislature of the State of Texas that soil is a natural resource of the State and it is a public right, a public duty and made mandatory upon the Legislature of the State of Texas under and by virtue of Section 59 of Article 16 of the Constitution of the State of Texas to enact laws to compel the preservation and conservation of the fertility of the soil.

"Sec. 2. For the purpose of preserving and conserving the fertility of the soil; to prevent waste of the soil; to prevent erosion of the soil; to prevent the spread of root rot and to prevent any and all other diseases of the soil, it is hereby declared to be unlawful for any person, association of persons, firm, corporation or joint stock company during the year

1932 to plant, cause or permit to be planted any cotton seed for the purpose of raising cotton on any land which was cultivated in cotton during the year 1931.

"Sec. 3. On and after January 1st, 1932, it shall be unlawful for any person, association of persons, firm or corporation to plant, or cause or permit to be planted, or cultivated, cotton on the same land two (2) years in succession.

"Sec. 4. Any person who violates any of the provisions of this act shall be deemed guilty of the offense of 'contributing to the waste of soil,' and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars (\$100) and not more than one thousand dollars (\$1,000.)

"Sec. 5. The rights and remedies of injunction as in ordinary cases is hereby expressly granted to any citizen of this State as a means whereby, in addition to all other remedies, this act may be enforced, and when it is made to appear to any judge of any district court in this State by the sworn petition of any citizen of this State that this act is being, has been, or is threatened to be violated, he shall grant such relief as the law and facts justify.

"Sec. 6. Upon the sworn complaint of any citizen of this State that any part of this act is being, has been, or is threatened to be violated, or upon the request of the county judge of any county in this State, or of the Commissioner of Agriculture of this State, it is hereby made the duty of the Attorney General of Texas and the several county and district attorneys of this State, to institute injunction proceedings in the proper courts having jurisdiction of the parties and the subject matter in the name of the State as plaintiff, against the persons complained of as defendants to enforce the provisions of this act and prevent any violation thereof, and said judges and said courts shall have the power to grant such relief and make such orders as the law and the facts justify. In such suit or suits any number of defendants may be made parties thereto and the joinder of more than one defendant in the same action shall not be the cause to abate said action.

"Sec. 7. In addition to all other duties now imposed upon or required

of the Commissioner of Agriculture of the State of Texas, it is hereby made his duty to aid in the enforcement of this act and to furnish each county and district attorney of each and every county or district in this State and the Attorney General all information coming to his knowledge showing or tending to show any violation hereof.

"Sec. 8. Each and every person upon the rendition of his or his principal's lands for taxes for the year 1932, shall state to the county assessor of taxes the number of acres of cotton upon which cotton was grown on said land during the year 1931; and likewise, and in the same manner, upon the rendition of his or his principal's lands for taxes for the year 1933, he shall state to the county assessor of taxes the number of acres of cotton upon which cotton was grown on said land during the year 1932. Each rendition hereafter made shall, in addition to the requirements contained in Article 7204 of the Revised Civil Statutes of 1925, contain the question and answer hereinabove required, all of which, as now required by law, shall be sworn to by the person making the rendition.

"Sec. 9. If any part of this act shall be held to be invalid, or, if any sentence, section or subsection shall be held to be invalid, it is expressly declared by the Legislature that the remaining parts, sections, or subsections, shall not in any manner be affected thereby but the remaining portion of said act and of each sentence, section or subsection shall be held to remain in full force and effect; and it is now declared by the Legislature that notwithstanding the invalidity, if any, of any part of this act, or any section or subsection, the Legislature would have enacted the remaining portions, regardless of the invalidity of any sentence, section or subsection or any other portion thereof.

"Sec. 10. The importance of the subject matter herein contained; the limited time within which the Legislature may act; the immediate necessity for the approval of this act and the effect thereof upon other States producing cotton and the probability of other cotton growing States following the policy of this State and the necessity for early action in order to make more effective the benefits contemplated by the final passage of

this act, creates an emergency and an imperative public necessity that the constitutional rule which requires bills to be read on three several days be suspended, and said rule is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is s enacted."

DAVIS,  
BRICE,  
DALE.

(Mr. Sanders in the chair.)

Mr. Hanson offered the following amendment to the substitute amendment:

Amend substitute for House bill No. 7, by adding a new section to be numbered 2a:

"Provided, that this act shall not apply to a farmer who is working not more than forty acres of land and has six children or more."

Mr. Kennedy moved the previous question on the pending amendment by Mr. Hanson and the substitute amendment.

Question first recurring on the amendment by Mr. Hanson, it was lost by the following vote:

Yeas—45.

Adams of Harris.	Hill.
Adkins.	Hines.
Alsup.	Howsley.
Anderson.	Johnson of Morris.
Baker.	Jones of Shelby.
Brooks.	Keller.
Bryant.	Laird.
Burns of Walker.	Lemens.
Burns	Lockhart.
of McCulloch.	Mathis.
Carpenter.	Munson.
Coombes.	Olsen.
Daniel.	Petsch.
Dodd.	Ramsey.
Duvall.	Richardson.
Elliott.	Scott.
Farmer.	Smith of Wood.
Forbes.	Stephens.
Gilbert.	Stevenson.
Hanson.	Sullivant.
Harrison	Tarwater.
of El Paso.	Van Zandt.
Hatchitt.	Vaughan.
Herzik.	

Nays—66.

Adams of Jasper.	Brice.
Adamson.	Caven.
Akin.	Coltrin.
Bond.	Cox of Lamar.
Bounds.	Cox of Limestone.
Boyd.	Dale.

Davis.	Moffett.
DeWolfe.	Moore.
Donnell.	Murphy.
Dowell.	Nicholson.
Dwyer.	O'Quinn.
Engelhard.	Ratliff.
Fisher.	Ray.
Ford.	Reader.
Fuchs.	Rountree.
Goodman.	Satterwhite.
Grogan.	Savage.
Harrison	Shelton.
of Waller.	Smith of Bastrop.
Hefley.	Sparkman.
Holder.	Strong.
Holland.	Terrell
Holloway.	of Cherokee.
Hoskins.	Towery.
Hubbard.	Turner.
Hughes.	Veatch.
Johnson	Wagstaff.
of Dimmit.	Walker.
Jones of Atascosa.	Weinert.
Justiss.	West of Coryell.
Kennedy.	Westbrook.
Lee.	Wiggs.
McCombs.	Wyatt.
McGill.	Young.
Magee.	

Present—Not Voting.

Greathouse.

Absent.

Barron.	Leonard.
Beck.	Lilley.
Claunch.	Long.
Cunningham.	McGregor.
Dunlap.	Martin.
Ferguson.	Metcalf.
Finn.	Morse.
Giles.	Patterson.
Graves.	Pope.
Hardy.	Rogers.
Harman.	Sanders.
Jackson.	Sherrill.
Johnson	Terrell
of Dallam.	of Val Verde.
Lasseter.	West of Cameron.

Absent—Excused.

Albritton.	McDougald.
Bedford.	Mehl.
Bradley.	Steward.
Farrar.	Warwick.
Kayton.	

Question then recurring on the substitute amendment by Mr. Davis, it was lost by the following vote:

Yeas—40.

Adkins.	Boyd.
Alsup.	Brooks.
Anderson.	Burns
Baker.	of McCulloch.

Caven.	Jones of Shelby.
Coltrin.	Jones of Atascosa.
Dale.	Laird.
Daniel.	Lockhart.
Davis.	Mathis.
DeWolfe.	Ramsey.
Dodd.	Richardson.
Dwyer.	Rountree.
Elliott.	Sherrill.
Fisher.	Smith of Wood.
Gilbert.	Strong.
Hatchitt.	Sullivant.
Hill.	Van Zandt.
Hines.	Wagstaff.
Holland.	Walker.
Holloway.	Wyatt.
Johnson of Morris.	

Nays—75.

Adams of Harris.	Keller.
Adams of Jasper.	Kennedy.
Adamson.	Lee.
Akin.	Lemens.
Barron.	Leonard.
Bond.	McCombs.
Bounds.	McGill.
Brice.	Magee.
Bryant.	Moffett.
Burns of Walker.	Moore.
Carpenter.	Munson.
Claunch.	Murphy.
Cox of Lamar.	Nicholson.
Cox of Limestone.	Olsen.
Donnell.	O'Quinn.
Dowell.	Petsch.
Engelhard.	Ratliff.
Farmer.	Ray.
Forbes.	Reader.
Ford.	Rogers.
Fuchs.	Satterwhite.
Giles.	Savage.
Goodman.	Scott.
Greathouse.	Shelton.
Grogan.	Smith of Bastrop.
Harman.	Sparkman.
Harrison	Stephens.
of El Paso.	Stevenson.
Harrison	Tarwater.
of Waller.	Terrell
Hefley.	of Cherokee.
Herzik.	Towery.
Holder.	Turner.
Hoskins.	Vaughan.
Howsley.	Veatch.
Hubbard.	Weinert.
Hughes.	West of Coryell.
Johnson	Westbrook.
of Dimmit.	Wiggs.
Justiss.	Young.

Present—Not Voting.

Coombes.

Absent.

Beck.	Dunlap.
Cunningham.	Duvall.

Ferguson.	McGregor.
Finn.	Martin.
Graves.	Metcalfe.
Hanson.	Morse.
Hardy.	Patterson.
Jackson.	Pope.
Johnson	Sanders.
of Dallam.	Terrell
Lasseter.	of Val Verde.
Lilley.	West of Cameron.
Long.	

Absent—Excused.

Albritton.	McDougald.
Bedford.	Mehl.
Bradley.	Steward.
Farrar.	Warwick.
Kayton.	

Mr. Gilbert offered the following substitute for committee amendment No. 1:

Amend committee amendment No. 1 to House bill No. 7 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. That in the year 1932, subject to the provisions of this bill, the Commissioner of Agriculture shall take all needful and necessary steps for the purpose of exterminating Mexican cotton boll weevil and other pests affecting cotton and the growth thereof in the State of Texas; said Commissioner of Agriculture shall further take all needful and necessary steps to eradicate the disease affecting cotton known as and commonly called cotton root rot.

"Sec. 2. That the planting of cotton seed for the purpose of raising cotton be and the same is hereby prohibited in the State of Texas during the calendar year 1932, and further, the gathering of cotton grown in said year and the ginning thereof are hereby prohibited.

"Sec. 3. That any person, firm, corporation or association of persons who shall plant or cause to be planted any cotton seed for the purpose of raising cotton in the year 1932; or any person, firm, corporation or association of persons, who shall gather or harvest, or gin or cause to be gathered, harvested or ginned any cotton grown in the year 1932 shall be guilty of a misdemeanor and upon conviction thereof shall be fined the sum of not less than one hundred dollars (\$100) or more than five hundred dollars (\$500), or imprisoned not less than ten nor more than sixty days for each offense, or both, at the discretion of the court.

"Sec. 4. That said Commissioner of Agriculture is hereby empowered to destroy or cause to be destroyed any cotton or cotton plants, which may be grown or found to be growing on any land in the year 1932, and he is empowered to call upon all necessary officers of the State for the purpose of preventing the growing of such cotton plants, the gathering, harvesting or ginning of such cotton plants during the year 1932.

"Sec. 5. That the Governor of the State of Texas be, and he is hereby, empowered and directed to suspend by proclamation the operation of this act in the event that not less than a sufficient number of States producing a total quantity of not less than 75 per centum of the cotton grown in the United States during the year 1930, do not enact legislation similar hereto on or before January 15, 1932. That the United States government report for the year 1930 shall be used to determine those States which produce not less than 75 per cent of cotton grown in the United States.

"Sec. 6. If any part of this act shall be held to be invalid, or, if any sentence, section or subsection shall be held to be invalid, it is expressly declared by the Legislature that the remaining parts, sections or subsections shall not in any manner be affected thereby, but the remaining portion of said act and of each sentence, section or subsection shall be held to remain in full force and effect; and it is now declared by the Legislature that notwithstanding the invalidity, if any, of any part of this act, or any section or subsection, the Legislature would have enacted the remaining portions, regardless of the invalidity of any sentence, section or subsection or any other portion thereof.

"Sec. 7. The fact that there is now prevalent in much of the cotton-growing area of Texas an insect known as the Mexican boll weevil which preys upon and destroys the cotton boll, and certain other pests known as the cotton leaf worm which is also destructive to the cotton plant, together with the fact that much of the cotton-growing land of Texas is infected with cotton root rot which is detrimental to the growth of cotton; and the further fact that much of the fertility of the soil has been dissipated due to the constant growing of cotton for many successive years,

and the planting of such land to other products than cotton will tend to restore said fertility, creates an emergency and an imperative public necessity for the suspension of the constitutional rule requiring bills to be read on three separate days in each house, and said rule is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted."

Signed—Gilbert, Adkins, Alsup, Jones of Atascosa, Holloway, Johnson of Morris, Daniel, Dodd, Walker, Hill, Brooks, Smith of Wood, Hatchitt, Rogers, Hines, Hanson, Fisher, Richardson, Bryant, Scott, Cox of Lamar, Jones of Shelby, Ramsey, Cunningham, Boyd.

Mr. Patterson moved that the reading of the amendment offered by Mr. Gilbert be dispensed with.

The motion prevailed by the following vote:

## Yeas—54.

Adams of Jasper.	Jones of Atascosa.
Adamson.	Justiss.
Bounds.	Keller.
Boyd.	Kennedy.
Brice.	Lee.
Brooks.	McCombs.
Claunch.	Mathis.
Coombes.	Moore.
Cox of Limestone.	Munson.
Dale.	Olsen.
Davis.	O'Quinn.
Dwyer.	Patterson.
Elliott.	Petsch.
Engelhard.	Ramsey.
Finn.	Ratliff.
Forbes.	Ray.
Fuchs.	Reader.
Gilbert.	Smith of Bastrop.
Goodman.	Stephens.
Greathouse.	Stevenson.
Grogan.	Strong.
Harman.	Turner.
Harrison	Vaughan.
of El Paso.	Wagstaff.
Hefley.	West of Coryell.
Howsley.	Wiggs.
Hubbard.	Young.
Johnson of Dimmit.	

## Nays—52.

Adams of Harris.	Burns
Adkins.	of McCulloch.
Akin.	Carpenter.
Alsup.	Caven.
Baker.	Coltrin.
Bond.	Daniel.
Bryant.	Dodd.
Burns of Walker.	Dowell.

Farmer.	Richardson.
Fisher.	Rogers.
Hanson.	Rountree.
Harrison	Satterwhite.
of Waller.	Scott.
Hatchitt.	Shelton.
Herzik.	Smith of Wood.
Hill.	Sparkman.
Hines.	Sullivant.
Holland.	Tarwater.
Holloway.	Terrell
Johnson of Morris.	of Cherokee.
Jones of Shelby.	Towery.
Laird.	Van Zandt.
Lemens.	Veatch.
Lockhart.	Walker.
McGill.	Weinert.
Magee.	Westbrook.
Moffett.	Wyatt.
Murphy.	

## Absent.

Anderson.	Johnson
Barron.	of Dallam.
Beck.	Lasseter.
Cox of Lamar.	Leonard.
Cunningham.	Lilley.
DeWolfe.	Long.
Donnell.	McGregor.
Dunlap.	Martin.
Duvall.	Metcalfe.
Ferguson.	Morse.
Ford.	Nicholson.
Giles.	Pope.
Graves.	Sanders.
Hardy.	Savage.
Holder.	Sherrill.
Hoskins.	Terrell
Hughes.	of Val Verde.
Jackson.	West of Cameron.

## Absent—Excused.

Albritton.	McDougald.
Bedford.	Mehl.
Bradley.	Steward.
Farrar.	Warwick.
Kayton.	

Mr. Van Zandt moved a call of the Committee for the purpose of maintaining a quorum pending consideration of the substitute amendment, and the call was duly seconded.

Question recurring on the motion for the call of the Committee, it was lost by the following vote:

## Yeas—50.

Adamson.	Carpenter.
Adkins.	Caven.
Akin.	Claunch.
Bond.	Daniel.
Boyd.	Dowell.
Brooks.	Engelhard.
Burns of Walker.	Fuchs.

Gilbert.	Magee.
Giles.	Mathis.
Goodman.	Moore.
Greathouse.	Munson.
Hanson.	Petsch.
Harrison	Rogers.
of Waller.	Shelton.
Hatchitt.	Smith of Bastrop.
Herzik.	Smith of Wood.
Hill.	Strong.
Holland.	Tarwater.
Hoskins.	Van Zandt.
Howsley.	Veatch.
Hubbard.	Wagstaff.
Johnson	Walker.
of Dimmit.	Weinert.
Keller.	West of Coryell.
Kennedy.	Westbrook.
McCombs.	Young.

Nays—57.

Adams of Harris.	Johnson of Morris.
Adams of Jasper.	Jones of Shelby.
Alsup.	Jones of Atascosa.
Anderson.	Justiss.
Baker.	Laird.
Bounds.	Lee.
Bryant.	Lemens.
Burns	Lockhart.
of McCulloch.	McGill.
Coltrin.	Moffett.
Coombes.	Murphy.
Cox of Lamar.	Olsen.
Cox of Limestone.	Patterson.
Dale.	Ramsey.
DeWolfe.	Ratliff.
Dodd.	Ray.
Dwyer.	Reader.
Elliott.	Richardson.
Farmer.	Satterwhite.
Finn.	Scott.
Fisher.	Sparkman.
Forbes.	Stevenson.
Ford.	Sullivan.
Harman.	Terrell
Harrison	of Cherokee.
of El Paso.	Towery.
Hefley.	Turner.
Hines.	Vaughan.
Holder.	Wiggs.
Holloway.	Wyatt.
Hughes.	

Present—Not Voting.

Stephens.

Absent.

Barron.	Ferguson.
Beck.	Graves.
Brice.	Grogan.
Cunningham.	Hardy.
Davis.	Jackson.
Donnell.	Johnson
Dunlap.	of Dallam.
Duvall.	Lasseter.

Leonard.	Pope.
Lilley.	Rountree.
Long.	Sanders.
McGregor.	Savage.
Martin.	Sherrill.
Metcalfe.	Terrell
Morse.	of Val Verde.
Nicholson.	West of Cameron.
O'Quinn.	

Absent—Excused.

Albritton.	McDougald.
Bedford.	Mehl.
Bradley.	Steward.
Farrar.	Warwick.
Kayton.	

Question—Shall the substitute amendment by Mr. Gilbert be adopted?

At 5:10 o'clock p. m., Mr. Moffett moved that the Committee rise, report progress and ask leave of the House to sit again at 9 o'clock a. m. tomorrow.

Mr. Johnson of Dimmit moved that the Committee rise, report progress and ask leave of the House to sit again at 8 o'clock p. m. today.

The motion of Mr. Moffett prevailed.

(Signed) FRED H. MINOR,  
Chairman of the Committee of the  
Whole House.

## HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. West of Cameron:

H. B. No. 43, A bill to be entitled "An Act to provide for the alleviation of the conditions of agriculture in Texas by preventing the increase and promoting the reduction of the tax burdens on Texas farms, by amending Article 7071 of the Revised Civil Statutes of 1925 so as to provide that the occupation tax paid thereunder by producers of oil shall in no event be less than two cents per barrel; and declaring an emergency."

Referred to Committee on Revenue and Taxation.

Br. Mr. McCombs, Mr. Holder, Mr. Keller, Mrs. Hughes, and Mr. Savage:

H. B. No. 44, A bill to be entitled "An Act to amend Chapter 47 of



the Acts of the First Called Session of the Forty-first Legislature, as amended by Chapter 140 of the Acts of the Regular Session of the Forty-second Legislature, so as to provide that neither said act nor said act so amended shall apply to nor affect any county in this State which is subject to the provisions of Chapter 82 of the General and Special Laws of the Regular Session of the Fortieth Legislature, being Senate bill No. 375 of said Session, published on page 124 of said laws, and to validate all consolidations of school districts and other acts of the county board of school trustees of all counties subject to the provisions of said Chapter 82, heretofore consummated or performed; and declaring an emergency."

Referred to Committee on Education.

By Mr. Laird:

H. B. No. 45, A bill to be entitled "An Act to validate the organization and creation of all school districts, including common school districts, independent school districts, consolidated common school districts, consolidated independent school districts, county line school districts, consolidated county line school districts, and rural high school districts, whether created by general or special law, or county boards of trustees, validating the acts of said county boards of trustees and boards of such districts; validating all proceedings and acts of said boards of trustees, heretofore taken by such boards of trustees; validating all bonds, voted, authorized and/or sold and/or now outstanding of said districts; validating all tax levies made in behalf of said districts; making certain exceptions; and declaring an emergency."

Referred to Committee on Education.

By Mr. Sherrill:

H. B. No. 46, A bill to be entitled "An Act to authorize any county in this State having any claim for money against any person, partnership, corporation, joint stock or other association, to purchase the property of such debtor or debtors, at any sale under any proceedings in bankruptcy, receivership, or in any other judicial proceeding whatever, whenever the commissioners' court of said county shall be of the opinion that it is necessary or advisable so to do to protect the interest of the county, for

such price as the commissioners' court may deem advisable and for the best interests of the county, and to have such property by said trustee in bankruptcy, receiver or other judicial officer conveyed and transferred to the county; further authorizing the commissioners' court of any county to borrow money on the credit of the county, and to execute, or cause to be executed, the obligations of the county therefor, for the purpose of making such purchases; and further authorizing such county to pledge, hypothecate or mortgage any property so purchased to secure the payment of all sums so borrowed; giving and granting to the commissioners' court full power and authority to determine upon what terms, for what length of time, and at what rate of interest said sums shall be borrowed; etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Leonard:

H. B. No. 47, A bill to be entitled "An Act ratifying and validating Edcouch-Elsa Independent School District, ratifying and validating the proceedings of the board of county school trustees of Hidalgo county in annexing territory thereto, ratifying and validating the proceedings of the board of school trustees of Hidalgo county in detaching territory therefrom, ratifying and validating the petitions of voters residing in territory annexed and detached, and actions thereon by the board of trustees of Edcouch-Elsa Independent School District, by the board of trustees of Common School District No. 2, Hidalgo county, and also by the board of county school trustees of Hidalgo county annexing territory, being a portion of Common School District No. 2, Hidalgo county, and detaching territory from Edcouch-Elsa Independent School District, defining and describing Edcouch-Elsa Independent School District after such annexation and detachment, and declaring an emergency."

Referred to Committee on Education.

By Mr. Laird:

H. B. No. 48, A bill to be entitled "An Act amending Section 1, of Chapter 47, of the Acts of the Forty-first Legislature, passed at its First Called Session. Which act provides authority for the county board of

trustees of each organized county to detach from one and add to another school district territory contiguous to the common boundary line of the districts affected, and declaring an emergency."

Referred to Committee on Education.

By Mr. Leonard:

H. B. No. 49, A bill to be entitled "An Act to amend Article 3887 of the Revised Civil Statutes of 1925, as amended by the Acts of the Forty-first Legislature, Regular Session, Chapter 112, page 256, as further amended by the Acts of the Forty-second Legislature, Regular Session, Chapter 123, page 235 of the Special Laws of said Forty-second Legislature; providing that said article as so amended shall also apply to any county having a population of seventy-five thousand (75,000) inhabitants or more, according to the last preceding Federal census and each succeeding Federal census thereafter, which have voted road and bridge bonds amounting to six million dollars (\$6,000,000) or more, and flood protection bonds amounting to one million dollars (\$1,000,000) or more, where there is no district attorney and having two or more district courts, and in which the county attorney acts as district attorney, and declaring an emergency."

Referred to Committee on State Affairs.

#### ADJOURNMENT.

On motion of Mr. Moffett, the House, at 5:15 o'clock p. m., adjourned until 9 o'clock a. m., tomorrow.

#### APPENDIX.

#### STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

Game and Fisheries: House bills Nos. 27 and 30.

Conservation and Reclamation: House bills Nos. 33 and 35.

Appropriations: House bill No. 29, and Senate bill No. 8.

Game and Fisheries: House bill No. 39.

Counties: House bill No. 38.

Judiciary: House bill No. 25.

Agriculture: House bills Nos. 31, 32 and 13.

Revenue and Taxation: House bills Nos. 17 and 22.

Judiciary: House bill No. 20.

The Judiciary Committee filed an adverse report on House bill No. 6.

The Judiciary Committee filed an adverse report with a minority favorable report on House bill No. 11.

#### REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, September 14, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 35, A bill to be entitled "An Act to amend subdivision (b) of Section 3 of House bill No. 239, enacted by the Forty-second Legislature of Texas, Regular Session, extending the time for the holding of the election provided for therein and providing the same may be held at any time prior to December 31st, 1935; also declaring an emergency,"

Have carefully compared same, and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,

Austin, Texas, September 15, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 39, A bill to be entitled "An Act making it lawful to hunt wounded wild deer with one dog in the counties of Liberty and Hardin, Texas, during the open season of each year for a period of five years, and declaring an emergency,"

Have carefully compared same, and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,

Austin, Texas, September 15, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 12, A bill to be entitled "An Act to prohibit the sale or offering for sale or the buying of any bass, crappie, perch, or channel or opalouis cat, or any other fish taken

from the waters of Lake Waco or the Bosque Rivers or their tributaries in the counties of McLennan, Bosque, and Hamilton; to prohibit the use of any drag seine or nets and to limit the size and number to be caught, and to prohibit the use of a troll from a motor boat or boat propelled by other than ordinary oars, and to prohibit the catching of bass, crappie, perch, channel or opalously catfish during the months of February, March, and April of each year, and declaring an emergency."

Have carefully compared same, and find it correctly engrossed.

JUSTISS, Chairman.

Committee Room,

Austin, Texas, September 15, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 27, A bill to be entitled "An Act providing that the river bed of the Trinity River in Henderson and Navarro counties shall not be sold and shall remain open to the public for fishing and hunting with the specific reference to that portion of the Trinity River known as the Cut Off; and providing that the commissioners courts of Henderson and Navarro counties shall have the right of condemnation to procure right of ways to said river or Cut Off, and giving to the Game, Fish and Oyster Commission authority to make regulations controlling fishing and hunting on the said Cut Off of the Trinity River, and providing a penalty for violations of same,"

Have carefully compared same, and find it correctly engrossed.

JUSTISS, Chairman.

#### FIFTH DAY.

(Wednesday, September 16, 1931.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called and the following members were present:

Mr. Speaker.	Alsup.
Adams of Harris.	Anderson.
Adams of Jasper.	Baker.
Adamson.	Barron.
Adkins.	Beck.
Akin.	Bond.

Bounds.	Jones of Shelby.
Boyd.	Jones of Atascosa.
Brice.	Justiss.
Brooks.	Keller.
Bryant.	Kennedy.
Burns of Walker.	Laird.
Burns	Lee.
of McCulloch.	Lemens.
Carpenter.	Leonard.
Caven.	Lockhart.
Claunch.	McCombs.
Coltrin.	McGill.
Coombes.	McGregor.
Cox of Lamar.	Magee.
Cox of Limestone.	Mathis.
Cunningham.	Metcalfe.
Dale.	Moffett.
Daniel.	Moore.
Davis.	Morse.
DeWolfe.	Munson.
Dodd.	Murphy.
Donnell.	Nicholson.
Dowell.	Olsen.
Dunlap.	O'Quinn.
Dwyer.	Patterson.
Elliott.	Petsch.
Engelhard.	Ramsey.
Farmer.	Ratliff.
Ferguson.	Ray.
Finn.	Reader.
Fisher.	Richardson.
Forbes.	Rogers.
Ford.	Rountree.
Fuchs.	Sanders.
Gilbert.	Satterwhite.
Giles.	Savage.
Goodman.	Scott.
Graves.	Shelton.
Greathouse.	Sherrill.
Grogan.	Smith of Bastrop.
Hanson.	Smith of Wood.
Hardy.	Sparkman.
Harman.	Stephens.
Harrison	Stevenson.
of El Paso.	Strong.
Harrison	Sullivant.
of Waller.	Tarwater.
Hatchitt.	Terrell
Hefley.	of Cherokee.
Herzik.	Terrell
Hill.	of Val Verde.
Hines.	Towery.
Holder.	Turner.
Holland.	Van Zandt.
Holloway.	Vaughan.
Hoskins.	Veatch.
Howsley.	Wagstaff.
Hubbard.	Walker.
Hughes.	Weinert.
Jackson.	West of Coryell.
Johnson	West of Cameron.
of Dallam.	Westbrook.
Johnson	Wiggs.
of Dimmit.	Wyatt.
Johnson of Morris.	Young.